

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO: 1:25-cv-20757-JB

JANE DOE,

Plaintiff,

v.

STEVEN K. BONNELL II,

Defendant.

_____ /

PLAINTIFF'S NOTICE SUBMITTING
AMENDED CERTIFICATE OF CONFERRAL FOR DOCKETS NO. 44, 48

COMES NOW Plaintiff Jane Doe ("Plaintiff"), by and through her undersigned counsel, and respectfully states as follows:

1. On May 2, 2025, pursuant to Local Rule 7.1 (a) (2), Plaintiff's counsel requested to meet and confer with counsel for Defendant before filing i) Plaintiff's Motion for Leave to Exceed Page Limit on Reply Memorandum (DE 44), and ii) Plaintiff's Motion For Leave to File Declarations Under Seal (DE 48).

2. Plaintiff included a certificate of conferral with both motions, certifying that "counsel for movant made an effort today to confer with opposing counsel regarding the relief sought in this motion but was unable to confer. In light of the time-sensitive nature of this matter, the motion is being filed in an abundance of caution. Counsel will continue to make diligent efforts

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to confer with opposing counsel and come to an agreement. Upon same, counsel will update the Court.”

3. Although Plaintiff’s attempt to confer with opposing counsel was not made until almost 8 p.m. on Friday, May 2 due to time constraints, the request would have been received by Defendant’s lead counsel Mr. Andrew Brettler at 5 pm his time (California). Docket 44 was not filed until 10:49 pm EST, and DE 48 was not filed until 11:41 pm EST. Mr. Brettler was aware of our filing deadline, but did not respond. Due to this, we notified the Court that we would provide an update to our meet and confer efforts.

4. As of now, counsel for Defendants have not provided any response to our request for a meet and confer regarding the excess pages (DE. 44).

5. Regarding Docket 48, Plaintiff’s motion requests leave for the declarations of three witnesses to be filed under seal in order to protect their identities. These three declarations were made in support of Plaintiff’s Reply to the Opposition to the Motion for Summary Judgment that was simultaneously filed. (DE 45). Pursuant to Local Rule 5.4(b)(1), Plaintiff elected to attach the redacted versions of the three declarations to her Reply brief.¹ The portions of the declarations that are redacted are only those that would serve to identify the witnesses—the substantive content is not redacted.

6. On Saturday, May 3, 2025, Defendant’s counsel, Mr. Brettler, responded to the meet and confer request regarding our request for leave to file the three declarations under seal (DE 48), by demanding that the undersigned counsel immediately provide him with unredacted

¹ Local Rule 5.4(b)(1) provides, in relevant part, "If, prior to the issuance of a ruling on the motion to file under seal, the moving party *elects* or is required to publicly file a pleading, motion, memorandum, or other document that attaches or reveals the content of the proposed sealed material, then the moving party must redact from the public filing all content that is the subject of the motion to file under seal." (emphasis supplied).

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versions of the three declarations. As of now, various communications have been exchanged but no consensus has been reached.

7. The undersigned counsel has communicated to Mr. Brettler that pursuant to Local Rule 5.4(b)(1) he will receive the unredacted versions of the declarations after the Court approves of the motion at docket 48 and they are filed under seal. These declarations contain highly sensitive, private, and confidential information regarding the nonconsensual distribution of sexually explicit materials and related communications involving the witnesses, Plaintiff and other individuals. These witnesses only agreed to provide their testimony if their identities can be kept private under the protection of the Court. For all of the reasons more fully set forth in Plaintiff's motion, it is critical to protect the identities of these declarants.

8. The undersigned counsel has also explained to Mr. Brettler that Defendant has the full unredacted *substantive* content of the declarations — the only redacted portions are those that would reveal the *identities* of these declarants. There can be no legitimate urgency for Defendant to know these witnesses' legal identities— that information does not alter the substantive facts, or counsel's ability to defend his client in these proceedings.

9. As of now, despite repeated efforts, the parties have been unable to resolve the issue. Accordingly, Plaintiff's updated Certificate of Conferral is set forth below, as follows:

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“Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that they have conferred with counsel for the opposing party in a good-faith effort to resolve the issues raised in this motion and have been unable to do so.”

DATED: May 5, 2025.

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/s/ Carlos A. Garcia Perez

By: _____

CARLOS A. GARCIA PEREZ

Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was emailed on May 5, 2025, to the below counsel of record.

/s/ Carlos A. Garcia Perez
By: _____
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